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*UNH Media Relations*

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## Media Relations

### UNH Accepts Recommendations Of Fact-Finder For Contract With AAUP

May 17, 2012

DURHAM, N.H. -- The University of New Hampshire announced today that the executive committee of the University System of New Hampshire Board of Trustees has voted, on the recommendation of UNH President Mark Huddleston, to accept the fact-finder report regarding negotiations between the university and the UNH chapter of the American Association of University Professors (AAUP). The report was issued May 4, 2012, by Ira Lobel, the fact-finder jointly engaged by the two parties. In accordance with N.H. statute, the parties had 10 days to consider the report and decide upon it before its contents became public. The report covered faculty salaries and benefits, and it addressed an employment termination clause whose language had been interpreted by an arbitrator as precluding the firing of a professor accused of having exposed himself in public.

The fact-finder recommended a five-year contract to cover July 1, 2010, through June 30, 2015 (FY11-FY15). The recommended salary package provides for no salary increase in FY11. For FY12 through FY15, across-the-board and merit-equity components for the four years combined total 8.5%. The fact-finder also recommended flat-dollar amounts differentiated by academic rank primarily to address a growing inequity between the average salary of a full professor at UNH and that of the comparator institutions. Currently the average UNH faculty salary is 2.3% behind the comparators and the average salary of a full professor is 7% behind; the gap in the average salary has jumped almost two points in the past year. The flat-dollar amounts recommended by the fact-finder total \$5,250 for professors, \$2,000 for associate professors, and \$1,650 for assistant professors, most of which would be delivered in FY14.



While there is no increase in the first year, if the salary package recommended by the fact-finder is spread over the full five years, it equates to an annual average salary increase of 2.4%. In its presentation to the fact-finder the university had recommended a package in which the increase averaged 1.7% per year with zero in the first year, and the union's position equated to an average annual increase of 3.7%.

UNH President Mark Huddleston said: "This has been a long and difficult round of negotiations, made even more challenging than usual by the 48% cut in support from the state that occurred mid-way through the process. UNH remains in a period of fiscal austerity. If the AAUP also chooses to accept the fact-finder report, we will have to be thoughtful and creative in our budget planning in order to address the fiscal implications of the recommended settlement."


Huddleston indicated UNH intends to limit as much as possible any impact a contract might have on tuition rates. "I am convinced we can meet this challenge, because there is no greater strategic priority than the investments required to ensure we attract and retain the highest quality faculty and staff so that students continue to receive the best possible education," he said.


According to Dick Cannon, UNH vice president for finance and administration, the fact-finder's recommendations for significant changes to health benefits for faculty would result in almost \$900,000 a year in savings. "While this is a substantial cost reduction for UNH, it does fall short of the benefits savings goal for this contract. We will have to continue to work with the faculty to achieve even more benefits savings in the long term," said Cannon. He indicated that the current trajectory of cost escalation in health benefits is simply unsustainable for the university system.


In addition to salary and benefits, the fact-finder was asked by the parties to make recommendations regarding the university's proposal to modify the termination clause of the contract in light of lessons learned from the case involving Professor Edward Larkin. "The university is extremely pleased that the fact-finder agrees that the just cause standard for dismissal should be changed from 'moral delinquency of a grave order' to 'moral turpitude' and there should be an accelerated arbitration process for such cases," said Huddleston. "We can hope that we never see another case of this kind, but if we do it will be essential


 


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that we have the ability to take action to protect our students.”

UNH lead negotiator Candace Corvey indicated that the new employment termination language is more common in labor contracts and that a misdemeanor such as that to which Larkin pled guilty would quite likely meet the definition of moral turpitude.

Corvey noted that there are many aspects in which the fact-finder report favors the university’s arguments and positions, but there are also aspects that are not as favorable. “The law governing this process requires that each side either accept or reject the report in full. It is not an option to select only those recommendations that favor your own side,” she said. “In the interest of resolving this extended dispute with the faculty union, and in recognition of the critical strategic importance of maintaining competitive compensation for faculty, the university and the trustees determined that the compromise package set forth by Lobel offers the best pathway to settlement.” If the AAUP also accepts the fact-finder report, the parties will move to schedule ratification votes. If the AAUP does not accept the report, the parties will return to the negotiating table.

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